Approved for Release: 2021/11/10 C05479951

Central Intelligence Agency

Washington, D.C. 20505

December 1, 2009

Dr. Marcia Becker

[redacted] (b)(6)

Reference: F-2010-00262

Dear Dr. Becker:

This is further to your telephone conversation of last week with a member of my staff. On 18 November 2009, the office of the Information and Privacy Coordinator received, via facsimile of the same date, your Freedom of Information Act (FOIA) request for records concerning [redacted] **Ira Boris Lewis.** We have assigned your request the above reference number; please cite this number when corresponding about this request. (b)(6)

We need as much identifying information as possible before we can effectively search our files for information on an individual. Please provide us with your subject's date and place of birth, and citizenship status. Without this data, we may be unable to distinguish between individuals with the same or similar names. If the person is deceased, please provide some evidence of death, such as a death certificate, an obituary, or press statement.

Agency regulations encourage requesters seeking information on living third parties to provide a signed affidavit or declaration from the third parties waiving all or some of their privacy rights. We can search without this authorization, but if we locate responsive records, privacy concerns may require us to protect the information from release.

FOIA exemption (b)(6), a copy of which I have enclosed for your reference and retention, requires us to protect information "the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." In reaching this determination, we use the test our enclosed regulations outline at 32 CFR §1900.32(b): "the Agency will balance the privacy interests that would be compromised by disclosure against the public interest in release of the requested information." Therefore, the waiver will assist us with this determination.

For your information, the FOIA authorizes federal agencies to collect fees for records services. You will note on the enclosed fee schedule that we charge search fees, including computer time where indices are computerized, and copying costs for releasable documents. Search fees are assessable even if no records are found or, if found, we determine that they are not releasable. This means you will be charged even if our search results are negative or if we determine that no information is releasable under the FOIA.

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Based on the information provided in your letter, we determined that your request falls into the "all other" fee category, which means that you will be required to pay charges that recover the cost of searching for and reproducing responsive records (if any) beyond the first 100 pages of reproduction and the first two hours of search time, which are free. Copies are ten cents per page.

We will hold your request in abeyance for 45 days from the date of this letter pending receipt of the necessary biographic information, proof of death if applicable, and your commitment to pay fees as described above.

Sincerely,

Delores M. Nelson
Information and Privacy Coordinator

Enclosures

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IMS/IRRG/PIPD [redacted] 1 December 2009 (b)(3) (b)(6)

Distribution:
Orig - Adse
1 - PAB/F-2010-00262 SPR 45 days (bio and all other fee commitment)

[redacted] (b)(5)

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